

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

INTELLECTUAL VENTURES I LLC and)	
INTELLECTUAL VENTURES II LLC,)	
)	
<i>Plaintiffs,</i>)	C.A. No. 7:24-cv-00277-ADA
)	
v.)	
)	JURY TRIAL DEMANDED
SOUTHWEST AIRLINES CO.,)	
)	
<i>Defendant.</i>)	

JOINT CASE READINESS STATUS REPORT

Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (collectively, “Intellectual Ventures” or “Plaintiffs”) and Defendant Southwest Airlines Co. (“Southwest” or “Defendant”), hereby provide the following status report in advance of the initial Case Management Conference (CMC).

FILINGS AND EXTENSIONS

Plaintiffs filed a complaint in the above-numbered case on November 2, 2024. The parties agreed to a 45-day extension to January 10, 2025, followed by an additional 17-day extension to January 27, 2025, for Southwest to respond to the Complaint.

RESPONSES TO THE COMPLAINT

On January 27, 2025, Southwest filed a Motion to Dismiss. D.I. 11.

PENDING MOTIONS

On January 27, 2025, Southwest filed a Motion to Dismiss. D.I. 11. Briefing is not complete.

Additionally, Southwest anticipates filing two additional motions. First, the two vendors that supply Southwest’s on-board Wi-Fi systems and services, Viasat and Anuvu, have filed declaratory judgment actions against Intellectual Ventures in the District of Delaware

seeking to adjudicate the issues of infringement and patent exhaustion at issue in Counts IV and V of Plaintiffs' Complaint. Based on *In re Nintendo of Am., Inc.*, 756 F.3d 1363, 1365 (Fed. Cir. 2014), Southwest intends to file a motion to sever and stay those claims pending resolution of the Delaware actions under the customer-suit exception to the first filed rule. Second, Southwest intends to move to transfer the case to the Northern District of Texas, Dallas Division, where Southwest is headquartered based on the relevant private and public interest factors under 28 U.S.C. §1404(a).**RELATED CASES IN THIS**

JUDICIAL DISTRICT

There are no known related cases in this district.

IPR, CBM, AND OTHER PGR FILINGS

There are currently three known filed or pending IPRs concerning three of the patents-in-suit:

1. IPR2025-00200 (U.S. Patent No. 8,407,722) was filed on November 20, 2024.
2. IPR2025-00201 (U.S. Patent No. 7,949,785) was filed on November 20, 2024.
3. IPR2025-00202 (U.S. Patent No. 8,332,844) was filed on November 20, 2024.

There are currently no known CBM or PGR proceedings with respect to the patents asserted in the above-numbered case.

NUMBER OF ASSERTED PATENTS AND CLAIMS

Plaintiffs have asserted six (6) patents and at least one claim from each patent against Defendant. The asserted patents are United States Patent No. 8,332,844 ("the '844 Patent"), United States Patent No. 8,407,722 ("the '722 Patent"), United States Patent No. 7,949,785 ("the '785 Patent"), United States Patent No. 8,027,326 ("the '326 Patent"), United States Patent No.

7,324,469 (“the ’469 Patent”), and United States Patent No. 7,257,582 (“the ’582 Patent”). Plaintiffs have not yet served their preliminary infringement contentions.

APPOINTMENT OF TECHNICAL ADVISER

The parties are discussing whether appointment of a technical adviser would be beneficial and will so advise the Court in the coming weeks.

MEET AND CONFER STATUS

1. Protective Order.

The parties anticipate submitting a proposed form of protective/confidentiality order, or their limited disputes regarding such an order, in the coming weeks.

2. Modifying the Court’s Standing Order with respect to the Markman Hearing.

No *Markman* Hearing or Trial dates have been set in the case.

Dated: February 3, 2025

RESPECTFULLY SUBMITTED,

By: /s/ Mark D. Siegmund

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served on all parties who have appeared in this case on February 3, 2025, via the Court's CM/ECF system.

/s/ Mark D. Siegmund
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